

Changes to the 1998 Vendors Manual – Web site

The 1998 Vendors Manual is on the DGS/DPS web site (www.dgs.virginia.gov under Manuals) and eVA web sites (www.eva.virginia.gov under Vendors – Resources. All *Code of Virginia* cites have been changed to reflect the new Code cites effective 10-1-01.

Changes effective 10/29/08 and earlier, have been incorporated into the web-based 1998 Vendors Manual. Future changes will be shown on this listing and will be incorporated into the Vendors Manual, as they become effective.

Date	Section	Summary of Changes	Pen & Ink Changes OR Replacement Pages as Indicated
VM 5/25/99	5.4 Page 5-2	Last sentence of 5.4 uses the word “solicitation” when the word should be “contract.”	Change the word “solicitation” to “contract” in the last sentence of 5.4.
VM 5/25/99	9.1 Page 9-1	9.1c is referenced for Conflict of Interest in the APSPM & VM Index Make the reference 9.1b	In the Index under “Conflict of Interest,” change the reference under the Vendors Manual column from 9.1c to 9.1b.
VM 12/21/99	7.23 Page 7-7	A contractor may invoke administrative procedures within 10 days, not 30 days, of receipt of a notice of ineligibility.	Change the word “thirty” to the word “ten” in the third sentence of paragraph 7.23 on page 7-7.
VM 3/28/00	3.4 Page 3-2	3.6b provides information about when vendors provide assistance with specification development for a fee. Adding sentences to 3.4 will provide information to vendors about when assistance is provided without a fee.	Add these two sentences at the end of 3.4: “A vendor may offer, without compensation, assistance to agency personnel in developing specifications for a requirement and compete on that requirement. A purchasing office may provide the specifications to competing vendors for comment before issuing the solicitation (see 3.6b).”
VM 3/28/00	3.6 Page 3-2	New section 3.6 is consistent with the language in the <i>Agency Procurement and Surplus Property Manual (APSPM)</i> concerning Prohibited Participation by vendors. The last sentence in section 5.11 is now included in 3.6c.	Replace section 3.6 in its entirety (new language attached shown as VM, 3/28/00). Eliminate the last sentence in section 5.11.
VM 3/30/00	6.2 Page 6-2	Change the Vendors Manual language to be consistent with	Change the first sentence in the Vendors Manual 6.2 to read,

		the APSPM language concerning Acceptance Period for bids.	“Bids are good for a minimum of 30 days unless a longer period of time is specified in the solicitation or in the bid response.”
VM 7/1/00	Through-out VM	Single quote limit was changed to \$5,000	Change references to \$2,000 to \$5,000
VM 12/6/00	General Terms & Conditions	Two new general terms were added on 7/1/00: U. Announcement of Award V. Drug-free Workplace	General terms and conditions are attached and are shown as VM, 7/1/00. Replace pages B-3 through B-10 with new pages B-3 through B-8.
VM 12/20/00	9.7a	Appeals Board Chairman’s Authority to decide timeliness of protest.	Add the words in bold after the third sentence in section 9.7 a - The chairman of the Board shall make all decisions regarding the timeliness of the filing and receipt of any appeals to the Board. All decisions regarding the timeliness of the filing and receipt of any appeals to the Board shall be final and not subject to further appeal.
VM 7/1/01	7.23 See Paragraph 9.3.	Debarment Notification and Procedure. 7.23 mentions what is already in 9.3 and can only be properly understood within the context of 9.3.	Eliminate wording in 7.23 and refer the reader to 9.3.
VM 7/1/01	7.17 Page 7-4	Effective 7/1/00: The contract modification restriction was changed from \$10,000 to \$50,000 or 25% of the original amount of the contract....	In the third sentence of 7.17, change the amount \$10,000 to \$50,000.
VM 7/1/01	1.8 a	Effective 7/1/01: A change was made to the Code of Virginia concerning preference to VA products and firms.	Delete the first sentence in 1.8 a. Virginia Vendors and replace it with the following: Preference is given to materials, equipment and supplies produced in Virginia, goods, or services or construction provided by Virginia persons, firms or corporations in the event of a tie bid (see 6.5).
VM 7/1/01	General Terms &	Effective 7/1/01: The Anti-Discrimination clause has been	Replacement wording in revised Appendix B attached.

	Conditions Appendix B Clause C	modified to include language to include Faith-based organizations. Wording correction.	
VM 7/1/01	General Terms & Conditions Appendix B Clause T	Delete requirement that the Commonwealth be added as an additional named insured under Worker's Compensation Insurance.	Replacement wording in revised Appendix B is attached.
VM 7/1/01	General Terms & Conditions Appendix B Clause T	Change required in Insurance clause showing new malpractice insurance limit effective 7/1/01.	Under the Profession/Service portion of the Insurance clause, the limits under Health Care Practitioner were increased to \$1,600,000 (effective 7/1/01). Correct limits in revised Appendix B attached.
VM 7/1/01	General Terms & Conditions Appendix B Clause V	Change the second paragraph of the Drug-Free Workplace clause. Wording refers to the chapter of Code where the VPPA resides; it is not part of the General term and condition.	Eliminate the words, "in accordance with this chapter," in the first sentence of the second paragraph under the Drug-Free Workplace clause.
VM 7/1/01	General Terms & Conditions Appendix B Clause W	A new general term was added: 7/1/01: W. Nondiscrimination of Contractors	Add new General Term and Condition on page B-9 attached.
VM 10/9/01	Appendix B, Section I, Clause C 1a	Effective 10/9/01: The Anti-Discrimination clause has been modified to include language to include Faith-based organizations. Wording correction.	Replacement wording in revised Appendix B attached.
VM 10/9/01	General Terms & Conditions Appendix B Clause X	A new general term was added: 10/9/01: X. eVA Business-to-Government Vendor Registration	Add new General Term and Condition on page B-9 attached.
VM 2/14/02	General Terms & Conditions Appendix B Clause X	The language of General Term X. eVA Business-to-Government Vendor Registration has been modified.	Modified language in General Term X. is attached.
VM 2/14/02	Index	The Virginia Public Procurement Act (VPPA) was recodified effective 10/1/01. All references	Insert the Virginia Public Procurement Act (VPPA) Recodification Cross-Reference

		to Chapter 11 of the <i>Code of Virginia</i> have been changed to Chapter 43.	Chart as the last page of the Index.
Changes effective 7/1/02 and earlier, have been incorporated into the web-based 1998 Vendors Manual. Future changes will be shown on this listing and will be incorporated into the Vendors Manual, as they become effective.			
7/1/02	1.1 b & c, 1.4, 1.5, 1.6	Authority and Responsibility is revised to show that the authority for purchase of information technology goods and services, ADP equipment, software and hardware, telecommunications equipment and services is changed from DGS/DPS to the Department of Information Technology (DIT).	
7/1/02	1.2 i	A statutory exemption is granted for VCE to make purchases for supplies, materials and services for use in its production facilities.	
7/1/02	1.8 e & f Preferences	Two new sections on preferences are added to address e. – Recycled Oil and Recycled Antifreeze and f. – Use of Recycled Goods or Products.	
7/1/02	2.3, 2.4, 2.6, 2.7, 2.8	Requirements over \$30,000 will be publicly posted on the DGS/DPS eVA web site at www.eva.state.va.us .	
7/1/02	3.1, 3.2	Registration in eVA is required in order to do business with state agencies and institutions. Changes in registration information is the responsibility of the vendor.	
7/1/02	4.1, 4.2	The selection of bidders or offerors may be related to the type of Vendor registration in eVA selected. Solicitations over \$30,000 will be publicly posted and advertised on the Virginia Business Opportunities (VBO) on the eVA web site.	
7/1/02	4.5, 4.9	Unsealed bid/proposal solicitations and responses may be electronic.	
7/1/02	4.16	Solicitations over \$30,000 will be publicly posted and advertised on the Virginia Business Opportunities (VBO) on the eVA web site.	
7/1/02	5.4	General Term and Conditions are included and incorporated into Agency Purchase Orders (APO) and eVA Direct Orders (DO).	
7/1/02	6.3	Notice of Award of Intent to Award shall be posted on the DGS/DPS eVA web site and may be posted in other locations as indicated in the solicitation.	
7/1/02	6.5	Preference for Virginia Products or Firms in the case of a tie bid was modified according to changed language in the Code of Virginia.	
7/1/02	7.1	The term purchase orders, as used in the Vendors Manual, includes eVA direct orders (DO).	
7/1/02	7.8b	Printing Overrun prices quoted shall not exceed the base lot price quoted for the equivalent incremental quantity.	
7/1/02	7.9	Changes to a purchase order exceeding \$500 should be provided for by a change order.	

7/1/02	7.18	Termination for convenience claims will be considered for only actual expenses incurred up to the time of termination. Payment will be made for items shipped or services provided prior to receipt of the termination notice, unless otherwise specified in the contract.
7/1/02	7.22	Debarment for failure to pay reprourement costs shall be for a period of one year or until the reprourement costs are paid or until the contract breach is resolved, whichever is longer.
7/1/02	Appendix A	The definition of Best Value is included.
7/1/02	Appendix B	These terms and conditions are incorporated by reference in Agency Purchase Orders (APO or PO), eVA Direct Orders (DO), and eVA P-card Orders (PCO). They apply to purchases between the agency or institution and the contractor unless modified in writing on the face of the PO, DO, or PCO.
7/1/02	Appendix B, General Terms & Conditions, Clause A	Clause A, on the Vendors Manual, provides information on the Commonwealth's claims provision.
7/1/02	General Terms & Conditions Appendix B Clause T	Under the Profession/Service portion of the Insurance clause, the limits under Health Care Practitioner are increased to \$1,650,000 (effective 7/1/02).
7/1/02	Appendix B, General Terms & Conditions, Clause U	Clause U, on Announcement of Award, is modified to add eVA as the official public posting site.
7/1/02	Appendix B, General Terms & Conditions, Clause X	Clause X, eVA Business-to-Government Registration, is revised to include a provision allowing an increase in vendor prices relating to the 1% eVA transaction fee.
7/1/03	Introduction	References made throughout the <i>VendorsManual</i> to the Department of Information Technology (DIT) or the Department of Technology Planning (DTP) are no longer valid, effective 7/1/03. Vendors should follow the guidance issued for information technology procurements by the Virginia Information Technologies Agency (VITA).
7/1/03	2.3 b. & c.	Small Purchase Procedures have been revised to change the number of valid sources required to be solicited for small purchases between the single quotation limit and the dollar threshold of the competitive unsealed bidding procedure.

7/1/03	3.1	eVA registration requirements are revised. The point of contact for registration is eVAregisHelp@dgs.state.va.us . Vendors must be registered prior to responding electronically to an eProcurement solicitation valued over \$30,000.
7/1/03	3.12	A new section on Prohibited Contracts is added as a result of § 2.2-4321.1, which prohibits contracts with vendors who fail or refuse to collect and remit the tax on its sales to locations within the Commonwealth.
7/1/03	4.1	The selection of bidders/offerors section is changed to incorporate eVA registration requirements.
7/1/03	5.4	Terms and Conditions and Instructions to Vendors included with the DGS/DPS Agency Purchase Order (APO) or incorporated by reference in the eVA Direct Order (DO) form are shown in Appendix B have been revised. See Appendix B.
7/1/03	6.3	Solicitation notices will be posted on the eVA website over \$30,000.
7/1/03	6.8	Award – add if contract then catalog in eVA: Contractors should send Catalog or Index Page information to eva-catalog-manager@dgs.state.va.us .
7/1/03	7.16	Change orders are required for changes over \$500 or when a supplier requests a change order to ensure the supplier's eVA transaction fee is accurate.
7/1/03	Appendix A	Definitions have been added or modified for Affiliate, Business, Minority-Owned Business, Must/Shall, Shall/Must; Should/May, SWAM, Women-owned Business, Writing, writings, in writing, written.
7/1/03	Appendix B, Section I, T.	The Insurance General Term and Condition is revised to show the increased Health Care Practitioner limit effective 7/1/03. When Used guidance adds that Insurance is generally not required for goods purchases unless installation is required.
7/1/03	Appendix B, Section I, W.	The Nondiscrimination of Contractors General Term and Condition is rewritten to include nondiscrimination of ex-offenders.
7/1/03	Appendix B, Section I, X.	The eVA Business-to-Government Vendor Registration General Term is revised to reinstate the 1% vendor transaction fee, capped at \$500, for orders issued through eVA.
11/12/03	3.6 c	Multiple bids/proposals may be submitted on the same procurement. Section 3.6 c is changed to read: Submission of a subsequent bid/proposal, unless specifically identified as an amendment to a previously submitted bid/proposal, shall constitute an additional bid/proposal submitted by the same bidder or offeror on the same IFB/RFP. For information on amending or withdrawing bids/proposals, see Section 5.11.
Changes to the 1998 Vendors Manual – August 2004		
8/23/04	Introduction	Reference made throughout the <i>Vendors Manual</i> to the Department of Information Technology (DIT) or the Department of Technology Planning (DTP) are no longer valid, effective 7/1/03. Guidance for

		information technology procurements is issued by the Virginia Information Technologies Agency (VITA).
8/23/04	2.1	Small, Women-Owned & Minority Businesses language incorporated in <i>Vendors Manual</i> , to include new subsection “b” on vendor certification and section “c” prime contractor Small, Women and Minority-owned business (SWAM) procurement plan.
8/23/04	2.3a	Single quotation procedure changed to require soliciting a minimum of one minority or women-owned vendor.
8/23/04	2.3b	Deleted.
8/23/04	2.3c	Changed cite to 2.3b; reference to “proposal” is removed. Requires agencies to use Quick Quote for bid solicitations from \$5,000 to \$50,000.
8/23/04	2.3c	Added section dealing with “unsealed” proposals.
8/23/04	2.3d	Added section for “unsealed” best value acquisition.
8/23/04	2.4	Inserted SWAM language for sealed bids under \$100,000.
8/23/04	2.5	Inserted SWAM language for two-step & combined two-step sealed bids under \$100,000.
8/23/04	2.6	Inserted SWAM language for Request for Proposal (RFP) under \$100,000.
8/23/04	2.7	Added section for Best Value Acquisition (over \$50,000).
8/23/04	2.8	Former 2.7; changed award posting requirement on VBO to \$50,000.
8/23/04	2.9	Former 2.8; changed award posting requirement on VBO to \$50,000.
8/23/04	2.10	Former 2.9.
8/23/04	3.1	Obsolete language removed; additional eVA language inserted.
8/23/04	3.6c	Deleted subsection on additional bid/proposal from the same vendor.
8/23/04	3.13	Added a section on receipt of subsequent/additional bid/proposal for the same procurement.
8/23/04	4.1	Obsolete language limiting vendor participation removed.
8/23/04	4.2	Sentence regarding posting informal solicitations on eVA web site deleted.
8/23/04	4.5	Deleted reference to Informal Bids.
8/23/04	4.7	Deleted second sentence.
8/23/04	4.9	Deleted reference to Unsealed Bids.
8/23/04	4.16	Changed the Notice of Pending Procurements cite to reflect the \$50,000 advertising threshold.
8/23/04	5.4	Obsolete language removed.
8/23/04	6.1	Inserted SWAM language for sealed bids under \$100,000.
8/23/04	7.1	Obsolete language removed.
8/23/04	9.17	Added section incorporating Alternative Dispute Resolution (ADR) provisions to encourage agencies and vendors to resolve disputes informally prior to litigation.
8/23/04	Appendix A	Added definition for “Disadvantaged Business Enterprise.”
8/23/04	Appendix A	“Minority-Owned Business” definition revised.

8/23/04	Appendix A	Added definition for “Minority Individual.”
8/23/04	Appendix A	“Small Business Enterprise” definition revised.
8/23/04	Appendix A	“Woman-Owned Business” definition revised.
8/23/04	Appendix B, Section I	“Terms and Conditions & Instructions to Vendors” header statement updated to reference eVA PO only.
8/23/04	Appendix B, Section I	PO “Instructions to Vendors” Clause 17 regarding vendor Trading Partner Agreements revised.
8/23/04	Appendix B Section II, B	ADR language added to encourage agencies and vendors to resolve disputes informally prior to litigation.
8/23/04	Appendix B Section II, J	Added subsection 3 addressing certification of SWAM procurement plan by prime contractor prior to payment.
8/23/04	Appendix B Section II, K	Deleted first sentence regarding applicable clauses in general terms and conditions.
8/23/04	Appendix B Section II, T	Insurance requirements are updated to conform to standards provided by the Division of Risk Management.
8/23/04	Appendix B Section II, U	Changed advertising threshold on Virginia Business Opportunities (VBO) to \$50,000.
8/23/04	Appendix B Section II, W	Nondiscrimination language updated.
8/23/04	Appendix B Section II, X	eVA Business-to-Government Vendor Registration requirement updated.
		Changes to the Vendors Manual, October 2004
10/18/04	2.1 d	A new section is added in 2.1 to address procurement set-asides.
10/18/04	2.3 b.	The first sentence of section 2.3 b. on Unsealed Bidding is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) valid sources, including a minimum of two (2) minority or woman-owned businesses, if available. An additional sentence is added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.
10/18/04	2.3 c.	Section 2.3c on Unsealed Proposals is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) valid sources, including a minimum of six two (2) minority or woman-owned businesses, if available, by mail, fax, or electronically.

10/18/04	2.3 d.	Section 2.3d on Unsealed Best Value Acquisition is modified to add, <i>Unless set-aside for Small businesses only (see 2.1d)</i> , solicit four (4) valid sources, including a minimum of two (2) minority or woman-owned businesses, if available, by mail, fax or electronically.
10/18/04	2.4	Section 2.4 on Competitive Sealed Bidding sources is modified to add, <i>Unless set-aside for Small businesses only, solicit at least six (6) valid sources</i> , including a minimum of four (4) minority or woman-owned businesses, if available. An additional sentence is added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.
10/18/04	2.6	Section 2.6 on Competitive negotiation is modified to add, <i>Unless set-aside for Small businesses only</i> , for the purchase of material, equipment, supplies or nonprofessional services estimated to cost \$50,000 or more, RFPs shall be sent to at least six (6) valid sources, including a minimum of four (4) minority or woman-owned businesses, if available.
10/18/04	2.7	Section 2.7 on Best Value Acquisition is modified to add, <i>Unless set-aside for Small businesses only</i> , solicit six (6) valid sources, including a minimum of four (4) minority or woman-owned businesses, if available, by mail, fax or electronically, and publicly post a copy of the solicitation on the DGS/DPS eVA web site www.eva.state.va.us .
10/18/04	4.1	A new sentence is added indicating that professional service procurements must be advertised over \$30,000.
10/18/04	6.1 a	An additional sentence is added to clarify that if the award is made to other than the lowest priced bidder under a remedial procurement plan, the award shall be made to the next lowest responsive and responsible minority or woman-owned bidder.
10/18/04	9.17	Section 9.17 on Alternative Dispute Resolution is replaced. It clarifies the use of ADR procedures for contractual disputes.
10/18/04	Appendix A	A definition for Set-asides is added to Appendix A.
10/18/04	Index	Set-asides is added to the Index.
		Changes to the Vendors Manual, July 2005
7/01/05	1.7 b	Section 1.7.b on purchases from state agencies or nonprofit vendors is modified to delete the requirement that the nonprofit sheltered workshop has to be based in Virginia and adds nonprofit organizations to those entities from which goods or services may be procured without competition.
7/01/05	1.8 a	The section on Preferences is revised to require reciprocal preferences allowed by other states to be applied to contractors who are residents of Virginia. A definition of absolute preference is added in Appendix A. A listing of state preference laws is found on www.eva.state.va.us .

7/01/05	2.1 b	This section on Certified Vendors adds as the last sentence, “Definitions for Minority-Owned Business Enterprise, Minority Individual, Small Business Enterprise, Women-Owned Enterprise, and Disadvantaged Business Enterprise are found in Appendix A. For the purposes of the SWAM Program, all certified women and minority owned businesses are also small business enterprises.”
7/01/05	2.1 c	This section on Prime Contractor SWAM Procurement Plan deletes the \$100,000 benchmark for which the plan is required. It also eliminates the 30 day grace period for the purchase of construction and professional services. It adds as the last sentence, “Each prime contractor who is awarded a contract in which provision of a SWAM Procurement plan is a condition of the award shall deliver to the contracting agency or institution, on or before a request for final payment, evidence of compliance with the procurement plan.”
7/01/05	2.3 a	This section on Small Purchase Procedures adds to the subsection on Single Quotation as the last sentence, “If additional sources are solicited and the award is made to other than the lowest priced bidder, the award shall be made to the next lowest responsive and responsible minority or women-owned bidder.”
7/01/05	2.3 b	The third sentence is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	2.3 c	The last sentence is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	2.3 d	The last sentence is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	2.4	The sixth sentence is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	2.5	The fourth sentence in subsection Step Two and the fifth sentence in subsection Combined Two-Step is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	2.6	The fourth sentence in the last paragraph is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).

7/01/05	2.7	The last sentence is changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	3.14	This new section, Virus-free and Accessible Submittals, makes it the responsibility of the vendor to ensure all electronic submissions are virus-free and in a format that is accessible by the agency or institution.
7/01/05	6.1 a	The first and second sentences are changed to delete reference to a remedial procurement plan established in accordance with guidelines prescribed by the Department of Minority Business Enterprise (DMBE).
7/01/05	6.1 b	This section on Evaluation of Proposals—Goods and Nonprofessional Services, adding verbiage that allows the Commonwealth, for contracts up to \$100,000, to award to a reasonably ranked minority or women-owned offeror that is other than the highest ranking offeror.
7/01/05	8.2	This section is renamed Charge Card Payments is expanded to discuss the Small Purchase Charge Card (SPCC) and Gold Card programs.
7/01/05	8.2 a	This section, Small Purchase Charge Card (SPCC), is added.
7/01/05	8.2 b	This section, Gold Card, is added.
7/01/05	9.17 c	This section on Alternative Dispute Resolution adds the last sentence, “Any settlement or compromise of claim must be approved by the Commonwealth’s Office of the Attorney General.”
7/01/05	Appendix A	The definition for Sheltered Workshops is deleted, and definitions for Absolute Preferences and Nonprofit Workshops and Nonprofit Organizations Serving the Handicapped are added.
7/01/05	Appendix B, Section II.T.	This General Term & Condition for Insurance increases the amount required for Health Care Practitioner from \$1,750,000 per occurrence to \$1,800,000.
		Changes to the Vendors Manual, July 2006
7/01/06	Cover Page	The DPS address is updated to 1111 East Broad Street.
7/01/06	3.1	This section on eVA application and registration is updated to change the telephone number to 1-866-289-7367 for requests for a paper registration package.
7/01/06	3.2	This section on eVA changes in registration is updated to change the website address to evacustomer@dgsvirginia.gov .

7/01/06	3.12.A	The first sentence in section A. on Prohibited Contracts is modified. It is changed into part (i) and adds part (ii) concerning if a contractor fails or refuses to remit income tax due thereunder. The second sentence is deleted and replaced by a new sentence which reads, "The provisions of clause (ii) shall not apply to any person that has (a) entered into a payment agreement with the Department of Taxation to pay the tax and is not delinquent under the terms of the agreement or (b) appealed the assessment of the tax in accordance with law and such appeal is pending."
7/01/06	6.4	This section on multiple awards and split awards is changed to allow for multiple awards for professional services, except for architectural and engineering services.
7/01/06	6.6	The first sentence in this section is changed to read, "Any bidder or offeror submitting a bid or proposal in response to a solicitation may protest the award or decision to award a contract by submitting such protest in writing (to include electronic and facsimile submissions, followed up with the original document[s]) to the head of the purchasing office which issued the solicitation no later than ten calendar days after public notice of the award or announcement of the decision to award is made whichever occurs first."
7/01/06	7.9	The second sentence in the section on overshipments is changed to read, "Increases or decreases exceeding \$500 shall be provided for by a change order and shall be provided whenever requested by a supplier to ensure the supplier's eVA transaction fee is accurate." It also adds the third sentence which reads, "Change orders for increases or decreases up to \$500 shall be prepared if requested by the supplier (see 8.9)."
7/01/06	8.2	The Department of Accounts' website address and fax number are added to this section on charge card payments.
7/01/06	8.9	This section on eVA transaction fees, which instructs vendors how to obtain a credit or refund, is added.
7/01/06	9.7.c(2)	This section on initiation of an appeal to the DGS/DPS Board updates the DPS address to 1111 East Broad Street for hand delivered notices.
7/01/06	9.7.c(3)	This section is added to include the email address to which a notice of an appeal to the Board may be sent electronically.

7/01/06	Appendix A Definitions	<p>“Disadvantaged Business Enterprise” is changed to “Disadvantaged Business.”</p> <p>The definition of a “Minority Individual” is revised to delete Eskimos and Aleuts.</p> <p>The first sentence in the definition of “Multiple Awards” is changed to allow for multiple awards for professional services, excluding architectural and engineering services.</p> <p>“Minority-Owned Business Enterprise” is changed to “Minority-Owned Business,” and its definition is changed to read, “A business concern that is at least 51% owned by one or more minority individuals or in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals and both the management and daily business operations are controlled by one or more minority individuals.”</p>
7/01/06	Appendix A Definitions	<p>“Small Business Enterprise” is changed to “Small Business,” and its definition is changed to read, “An independently owned and operated business which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years.”</p> <p>“Woman-Owned Business Enterprise” is changed to “Women-Owned Business,” and its definition is changed to read, “A business concern that is at least 51% owned by one or more women who are citizens of the United States or non-citizens who are in full compliance with United States immigration law, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51% of the equity ownership interest is owned by one or more women who are citizens of the United States or non-citizens who are in full compliance with United States immigration law, and both the management and daily business operations are controlled by one or more women who are citizens of the United States or non-citizens who are in full compliance with United States immigration law.”</p>

7/01/06	Appendix B Section I	<p>#16 deals with the eVA transaction fee and is changed to read, “Purchase orders processed through the eVA procurement system will be subject to an eVA transaction fee set forth on the eVA Fee Schedule published on the eVA website (www.eva.virginia.gov). This fee will be invoiced to vendors by the eVA billing division.”</p> <p>#17 which dealt with the Trading Partner Agreement is deleted in its entirety.</p>
7/01/06	Appendix B Section II	<p>General Term and Condition X, which deals with eVA business-to-government registration is replaced in its entirety to reflect changes in the annual registration and vendor transaction fees.</p> <p>General Term and Condition Y, “Availability of Funds” clause is added.</p>
7/01/06	Index	“Enterprise” is dropped from the end of the following terms: Disadvantaged Business,” “Minority-owned Business,” “Small Business,” and “Women-owned Business.”
7/01/06		Throughout the manual email addresses are updated.
		Changes to the Vendors Manual, December 2007
12/07/07	2.1 a	Language is added to emphasize the agency’s use of qualified small businesses for procurement opportunities. A sentence is added to clarify that a small business shall not exclude DMBE-certified women-owned and minority-owned businesses when they have received the DMBE small business certification.
12/07/07	2.1 b	Language is updated to clarify certified vendors.
12/07/07	2.1 c	Language is modified to describe the Commonwealth’s current Small Business Subcontracting Plan and its applicability to contracts exceeding \$100,000.
12/07/07	2.1 d	This section addresses small business set-asides.
12/07/07	2.1 e	This section addresses award to other than the lowest priced bidder or highest ranked offeror.
12/07/07	2.3 a	This section replaces “minority or women-owned businesses” with “DMBE-certified small businesses”.
12/07/07	6.1 a	Language is changed to clarify that if the contract is over \$50,000, it may be set-aside for DMBE-certified small businesses only and that bidders and subcontractors must have received their DMBE certification as a small business by the solicitation due date to be considered responsive.
12/07/07	6.1 b	Language is changed to clarify that if the contract is over \$50,000, it may be set-aside for DMBE-certified small businesses only and that offerors must have received their DMBE certification as a small business by the solicitation due date to receive points for evaluation criteria or to be considered for set-asides.
12/07/07	6.4	Removes language prohibiting multiple awards to architectural and engineering services.

12/07/07	Appendix A	The terms “Small Business Subcontracting Plan” and “Subcontractor” and their definitions are added.
12/07/07	Appendix B, Section II	General Term and Condition “Z. Set-Asides” is added.
12/07/07	INDEX	“Small Business Subcontracting Plan” is added to the list of topics. Cross reference sites are corrected as applicable.
		Changes to the Vendors Manual, July 2008
7/01/08	1.9	Adds language to clarify that unsealed bid and unsealed proposal records shall be open to the inspection of any citizen, or any interested person, firm or corporation only after award of the contract.
7/01/08	3.1	In line 15, replaces “one of its” with “any of the Commonwealth’s”.
7/01/08	3.5	Adds “Donations” to Personal Interest and Gifts. Adds two paragraphs to clarify that vendor sponsorships of conferences and other events must comply with the Appropriation Act and to clarify that gift prohibition exceeding nominal value includes distributions at vendor expos.
7/01/08	3.11	Revises section to generally prohibit advertising or promotional literature stating or implying that a Commonwealth agency endorses a vendor’s products or services. An additional paragraph is added allowing vendors to list an agency or institution in a client list, provided that the listing does not state or imply endorsement, and a provision is made for an agency to prohibit such listing.
7/01/08	4.3	Adds sentence to allow agencies to permit teleconference and videoconference attendance for <i>optional</i> prebid/preproposal conferences.
7/01/08	4.14	Replaces the word “equal” with “equivalent” to clarify what other goods may be considered when a brand name is used in a specification.
7/01/08	6.1 b.	Adds language to further clarify that proposals may be evaluated by the buyer, contracting officer, or an evaluation team, on the basis of the criteria set forth in the RFP and clarifies that offerors who fail to submit required documentation or meet mandatory requirements, in such time, for evaluation purposes may be eliminated from further consideration.
7/01/08	7.13 and 8.6 d.	Replaces the words “Complaint to State Vendor form” with “Procurement Complaint Form”.
7/01/08	Appendix A	Revises the definition of “Small Business” to include businesses independently owned or operated by one or more persons who are citizens of the United States or non-citizens who are in full compliance with United States immigration law. Adds definition of “Sponsorship:”.
7/01/08	Appendix B, Section II, E	Expands General Term and Condition on <u>IMMIGRATION REFORM AND CONTROL ACT OF 1986</u> to apply to all written contracts regardless of dollar value or procurement method.

7/01/08	Appendix B, Section II, J	Expands General Term and Condition on <u>PAYMENT</u> to encourage contractors and subcontractors to accept electronic and credit card payments.
7/01/08	Appendix B, Section II, R	Replaces the word “equal” with “equivalent” in General Term and Condition on <u>USE OF BRAND NAMES</u> .
		Changes to the Vendors Manual, October 2008
10/29/08	4.15	<p>Adds language to clarify the results of an unlicensed vendor submitting a bid or proposal where a license is required.</p> <p>Adds language to clarify new thresholds for Contractor Licenses A and B. Revises “NOTE:” for Contractor License C.</p> <p>Contractor License A: Replace \$70,000 with \$120,000; replace \$500,000 with \$750,000.</p> <p>Contractor License B: Replace \$70,000 with \$120,000. Delete “(\$1,000 for electrical, plumbing, and HVAC work)”. Replace \$500,000 with \$750,000.</p> <p>Contractor License C: Replace “NOTE: Class C contractors shall not include electrical, plumbing, and heating, ventilation, and air conditioning (HVAC) contractors.” with “NOTE: The Board shall require a master tradesmen license as a condition of licensure for electrical, plumbing and heating, ventilation and air conditioning contractors.”</p>
10/29/08	5.1	Deletes language no longer applicable to vendors failing to respond on three (3) consecutive spot purchase solicitations, or one (1) contract solicitation issued by DGS/DPS.
10/29/08	9.1.a.	Adds language to clarify that the DGS/DPS Procurement Appeals Board reviews contested decisions on the procurement of “non-technology” goods.

If you should have questions about the changes noted, please contact: Dennis Blackwell at 804-786-0394, dennis.blackwell@[dgs.virginia.gov](mailto:dennis.blackwell@dgs.virginia.gov).